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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Argentina,* Austria,* Bahamas,* Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina,* Brazil, Bulgaria,* Chile,* Colombia,* Costa Rica,* Croatia, Cuba, Cyprus,* Czechia,* Denmark,* Dominican Republic,* Ecuador, El Salvador, Estonia,* Finland,* France,* Georgia, Germany, Greece,* Guatemala,* Guyana,* Haiti,* Honduras,* Hungary, Iceland,* Italy,* Jamaica,* Latvia, Lithuania,* Luxembourg,* Malta,* Mexico,* Monaco,* Montenegro,* Netherlands, Nicaragua,* Panama, Paraguay, Peru,* Poland,* Portugal, Romania,* Saint Kitts and Nevis,* Serbia,* Slovakia,* Slovenia, Spain,* Sweden,* Trinidad and Tobago,* Turkey,* Ukraine,* United Kingdom of Great Britain and Northern Ireland, Uruguay,* Venezuela (Bolivarian Republic of): draft resolution

34/... Rights of the child: protection of the rights of the child in the implementation of the 2030 Agenda for Sustainable Development

The Human Rights Council,

Emphasizing that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, bearing in mind the importance of the Optional Protocols to the Convention, and calling for their universal ratification and effective implementation,

Recalling all previous resolutions on the rights of the child of the Commission on Human Rights, the Human Rights Council and the General Assembly, the most recent being Council resolution 31/7 of 23 March 2016 and Assembly resolution 71/177 of 19 December 2016,

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for all actions concerning children,

* State not a member of the Human Rights Council.

Welcoming the work of the Committee on the Rights of the Child and of other treaty bodies, and noting in particular the general comments of the Committee,

Welcoming also the attention paid by the special procedures of the Human Rights Council to the rights of the child in the context of their respective mandates, in particular the work of the Special Rapporteur on the sale of children, child prostitution and child pornography, and of the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, and taking note with appreciation of their recent reports,[1]

Recalling its resolutions 5/1, on the institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

Recalling also General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, its commitment to achieving sustainable development in its three dimensions – economic, social and environmental – in a balanced and integrated manner, and to building upon the achievements of the Millennium Development Goals and seeking to address their unfinished business and recognizing that achieving the Sustainable Development Goals can help ensure that children can assert and enjoy their rights,

Recalling further that the 2030 Agenda for Sustainable Development is guided by the purposes and principles of the Charter of the United Nations, grounded in the Universal Declaration of Human Rights, international human rights treaties, including the Convention on the Rights of the Child and its Optional Protocols, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, the Millennium Declaration and the 2005 World Summit Outcome, and informed by other instruments, such as the Declaration on the Right to Development, and reaffirming the outcomes of all major United Nations conferences and summits which have laid a solid foundation for sustainable development and have helped to shape the new Agenda, including the Rio Declaration on Environment and Development, the World Summit on Sustainable Development, the World Summit for Social Development, the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the United Nations Conference on Sustainable Development, and the follow-up to these conferences, and that the Agenda is to be implemented, followed-up and reviewed in a manner that is consistent with the obligations of States under international law,

Welcoming the entry into force of the Paris Agreement, adopted under the United Nations Framework Convention on Climate Change, noting that climate change exacerbates risks to those in the most vulnerable situations, including children, and underlining that the effective implementation of the Agreement reinforces the 2030 Agenda,

Cognizant that the 17 Sustainable Development Goals and 169 targets contained in the 2030 Agenda are aimed at realizing the human rights of all, leaving no one behind and reaching those furthest behind first by, inter alia, achieving gender equality and the

[1] A/HRC/34/55, A/HRC/34/45 and A/HRC/34/44.

empowerment of women and girls, and that the achievement of all the Goals and targets may contribute to the realization of the rights of the child,

Deeply concerned that globally, 18,000 children still die each day from poverty-related causes, nearly one in four children under the age of 5, out of an estimated total of 159 million, have stunted growth, particularly in developing countries, and 6.1 per cent are overweight,

Recognizing that while under-5 mortality has declined globally, an estimated 5.9 million children under the age of 5 died in 2015, with a global under-5 mortality rate of 43 per 1,000 live births,

Concerned that 1 million girls under 15 give birth every year, and that the risk of maternal mortality is highest for adolescent girls under 15 years of age,

Deeply concerned that every five minutes, a child dies as a result of violence and that globally, in the past year, 1 billion children between 2 and 17 years of age experienced physical, sexual, emotional or multiple types of violence, with an estimated 120 million girls and 73 million boys having been victims of sexual violence at some point in their lives, and particularly welcoming in this respect target 16.2 of the Sustainable Development Goals to end abuse, exploitation, trafficking and all forms of violence against and torture of children,

Deeply concerned also that more than 200 million girls and women alive today have undergone female genital mutilation and that 3 million girls are at risk of undergoing female genital mutilation every year, and expressing further concern that more than 720 million women alive today were married before their eighteenth birthday and that more than one in three (about 250 million) entered into such a union before the age of 15, and that, although boys are affected, child, early and forced marriage disproportionately affects girls,

Still concerned that 168 million children are engaged in child labour, with half of that number working in the worst forms of labour, that 5.5 million children are in forced labour, and that nearly 50 million children are at increased risk of child labour, modern slavery and human trafficking,

Alarmed that, of 263 million school-age children worldwide, nearly 1 in 10 were out of school in 2015 and that 1 in 5 of those children had dropped out,

Recognizing that children are disproportionately affected in complex humanitarian emergencies, increasing their vulnerability as refugees, internally displaced persons or migrants, and recalling that, around the world, nearly 50 million children have migrated across borders or been forcibly displaced, including more than 10 million refugee children and more than 98,000 unaccompanied and separated children, and that children now comprise half of all refugees,

Considering that the pledge made in the 2030 Agenda to leave no one behind involves addressing multiple forms of inequality and discrimination, and provides an opportunity to tackle inequities faced by children, especially those who are marginalized or in vulnerable situations, who face stigmatization, discrimination, violence or exclusion, that require a multidimensional approach to realizing children's rights and full potential, and empowering them as agents of change,

Noting the relevant global initiatives and partnerships to assist countries in the implementation of the commitments of the 2030 Agenda, inter alia, the Global Strategy for Women's, Children's and Adolescents' Health (2016-2030), the Partnership for Maternal, Newborn and Child Health, the Global Partnership to End Violence Against Children, the Global Programme to Accelerate Action to End Child Marriage, the Joint Programme on

Female Genital Mutilation/Cutting, the High Time to End Violence against Children initiative, Alliance 8.7 to eradicate forced labour, modern slavery, human trafficking and child labour, the Global Partnership for Education, the Global Education First Initiative, the Global Alliance for reporting progress on promoting peaceful, just and inclusive societies, the We Protect Global Alliance to End Child Sexual Abuse Online, the Fast-Track strategy to end the AIDS epidemic by 2030, and tools such as the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age,[2]

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the protection of the rights of the child in the implementation of the 2030 Agenda for Sustainable Development;[3]

2. *Calls upon* States to take all necessary measures to ensure the enjoyment by children of all their human rights, without discrimination of any kind, including in efforts to achieve the Goals and targets of the 2030 Agenda;

3. *Reaffirms* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, that the best interests of the child shall be the guiding principle of those responsible for his or her nurture and protection, and that families' and caregivers' capacities to provide the child with care and a safe environment should be promoted;

I. A child rights-based approach to implementing the 2030 Agenda

4. *Calls upon* States to promote, protect, respect and fulfil the rights of the child and to mainstream them into all legislation, policies, programmes and budgets, as appropriate, aimed at implementing the 2030 Agenda;

5. *Also calls upon* States to leave no child behind in the implementation of all the Goals and targets of the 2030 Agenda and to pay particular attention to children in marginalized and vulnerable situations, such as but not limited to children with disabilities, children affected by HIV/AIDS, pregnant girls, children affected by conflict and in refugee situations, children belonging to minorities, children living in poverty, children in alternative care, migrant children, including unaccompanied migrant children, children seeking asylum, stateless children, children involved with the criminal justice system, including those deprived of liberty, indigenous children, children recruited or at risk of recruitment by organized criminal groups and armed groups, and children with special needs;

6. *Encourages* States to promote a child rights-based approach in the implementation of the 2030 Agenda, in accordance with their obligations under international law and underpinned by the principles of, inter alia, human rights and fundamental freedoms for all, equality and non-discrimination, the best interests of the child, the child's right to life, survival and development and participation, sustainability, transparency, international cooperation and accountability;

7. *Emphasizes* the importance of children's rights as an integral part of sustainable development strategies, and urges States to integrate a child rights perspective into their respective national development frameworks, taking into account those in the most marginalized and vulnerable situations, to ensure that no child is left behind and that those furthest behind are reached first;

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[2] A/HRC/27/31.

[3] A/HRC/34/27.

8. *Reaffirms* the Addis Ababa Action Agenda, which is an integral part of the 2030 Agenda, in which it is recognized that investing in children is critical to achieving inclusive, equitable and sustainable development for present and future generations, and the vital importance of promoting and protecting the rights of all children and ensuring that no child is left behind, and recalling Council resolution 28/19 on better investment in the rights of the child, of 27 March 2015;

(*a*) *Encourages* States to mobilize and allocate domestic resources, and where necessary, international resources, including for the realization of the rights of the child, as an essential element to achieving the Sustainable Development Goals;

(*b*) *Invites* private sector involvement in a way that positively contributes to the implementation of the Sustainable Development Goals and respects and promotes the realization of the rights of the child;

9. *Recalls* that the means of implementing the targets under each Sustainable Development Goal and Goal 17 are key to realizing the 2030 Agenda and are of equal importance as the other Goals and targets, and that implementation will require a partnership bringing together Governments, the private sector, civil society, the United Nations system and other actors and the mobilization of all available resources;

10. *Urges* States, international organizations, including the United Nations system organizations, funds, programmes, financing mechanisms, financial institutions and other relevant stakeholders, in coordination with national Governments, to enhance international support for implementing effective and targeted capacity-building in developing countries, to support national plans to implement all of the 2030 Agenda, including with the aim of realizing the rights of the child;

11. *Calls upon* States to work on the development of child rights-sensitive national, including subnational, and regional indicators, where applicable, taking into account indicators developed by appropriate global and regional forums, to measure progress, report and identify gaps in the implementation of the 2030 Agenda, guided by the Convention on the Rights of the Child and its Optional Protocols and other relevant international treaties;

12. *Encourages* States to strengthen their capacities to monitor progress towards the implementation of the 2030 Agenda by improving the collection, analysis, dissemination and utilization of data and statistics, disaggregated by income, sex, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant to national contexts, mindful of a children's rights perspective;

13. *Recognizes* the right of the child to be registered immediately after birth, and calls upon all States to ensure free birth registration, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind, and that vital statistics are collected for all children, particularly those in situations of vulnerability, through comprehensive civil registration systems that are accessible and affordable;

14. *Encourages* States to make comprehensive and comparable disaggregated data and information on children publicly available in a timely manner, while protecting their privacy, and to ensure that children have access to information in child-friendly formats and in a manner they understand, and to this end, to make better use of the possibilities of digital solutions and technologies, as appropriate;

15. *Calls upon* the United Nations system and all its relevant actors in the promotion and protection of the rights of the child, the members of the Committee for the Coordination of Statistical Activities, international organizations and the international donor community to intensify support for enhancing the capacity of national statistics

offices in developing countries, to enable them to undertake effective data collection and analysis as mandated and envisioned by the Sustainable Development Goals and in furtherance of the Goals to ensure the promotion and realization of the rights of the child;

16. *Encourages* States, building on existing national mechanisms, in particular national human rights institutions, and review processes, with broad multi-stakeholder participation, to review the national legal and policy framework, track progress and lessons learned, consider solutions and ensure that laws, policies and programmes are oriented to meet the Sustainable Development Goals and targets and human rights obligations, and as such integrate the rights of the child to ensure their respect and promotion;

17. *Also encourages* States to take into account in the national reviews of progress on the Sustainable Development Goals the reports and recommendations from the existing human rights review processes in which States already participate, incorporating information from existing national mechanisms for oversight and review on matters related to the rights of the child, including the parliament, local government, national human rights institutions and ombudsmen's and standing national reporting and coordination mechanisms for human rights, as appropriate;

18. *Acknowledges* the relevant role played by civil society organizations in supporting the implementation of the 2030 Agenda, and recognizes their active participation and contribution in the follow-up and review processes through the established mechanisms, particularly in relation to the rights of the child;

19. *Encourages* the private sector to work to ensure the alignment of their activities with international human rights law and relevant standards, including those related to the rights of the child, the Guiding Principles on Business and Human Rights and the Children's Rights and Business Principles of the United Nations Children's Fund (UNICEF), through the undertaking of child-rights due diligence with a view to identifying, preventing and mitigating the possible negative impact of their operations on the enjoyment of the rights of the child;

20. *Recognizes* that a child who is capable of forming his or her own views should be assured the right to express those views freely, without discrimination on any ground, in all matters affecting him or her, the views of the child being given due weight in accordance with his or her age and maturity, and calls upon States, as appropriate, to promote knowledge among children about the 2030 Agenda and the rights of the child, and to facilitate, including through funding, the meaningful participation and active consultation of children in all issues affecting them related to the implementation, monitoring and follow-up and review of the 2030 Agenda, taking into account the best interests of the child;

II. Promotion and protection of the rights of the child in the 2030 Agenda

21. *Urges* States to take all the necessary measures to implement fully the objectives of the 2030 Agenda to contribute to the realization of the rights of the child by, inter alia:

(*a*) Eradicating extreme poverty and reducing the number of children living in poverty by, inter alia, implementing social security systems, including social protection floors, that guarantee access to essential health care and basic income security for children, at least at a nationally defined minimum level, providing access to nutrition, education, care and any other necessary goods and services;

(*b*) Sustaining efforts to ensure that the right of the child to the enjoyment of the highest attainable standard of physical and mental health is promoted and protected, including by attaining all goals and targets related to Goal 3;

(*c*) Continuing to take measures to ensure that all girls and boys, including children in vulnerable situations, those who are marginalized or vulnerable and those who face stigmatization, discrimination or exclusion, complete free, equitable and quality primary and secondary education and have access to early childhood development, care and pre-primary education in safe, non-violent, inclusive and effective learning environments, as well as eliminating gender disparities in education;

(*d*) Protecting children from all forms of discrimination and eliminating all forms of violence against children in all settings, including torture of children, maltreatment, neglect, sale, abuse, exploitation, trafficking, sexual and other types of exploitation, securing the eradication of forced labour and the prohibition and elimination of the worst forms of child labour, including unlawful recruitment and use of child soldiers, and putting an end to child labour in all its forms and the recruitment of children by organized criminal groups, ensuring that all children have equal access to justice and accountable and transparent institutions, and providing legal identity documents, including birth certificates, to all children;

(*e*) Achieving gender equality and the empowerment of all young women and girls by ending all forms of discrimination and violence against them in the public and private spheres, including trafficking and sexual and other types of exploitation, eliminating all harmful practices such as child, early and forced marriage and female genital mutilation, including by attaining all Goals and targets related to Goal 5;

22. *Calls upon* States to provide human rights education, and to promote children's empowerment and participation, as a means of preventing and counteracting violence, exploitation and abuse of children;

23. *Recognizes* that poverty, inequality, global health threats, natural disasters, humanitarian emergencies and forced displacement, as well as, violence, spiralling conflict, violent extremisms, terrorism, threaten to reverse much of the development progress made, and that natural resource depletion, food and water scarcity and the adverse impact of environmental degradation, climate change and urban development pose additional challenges, and therefore *calls upon* States, as appropriate, to take further effective measures and actions, in conformity with international law, to remove obstacles and constraints, strengthen support to meeting the special needs of children, in particular the most vulnerable, with a view to provide all children with a nurturing environment for the full realization of their rights and capabilities;

III. Mainstreaming the rights of the child in the implementation of the Agenda 2030

24. *Affirms* the commitment to integrate effectively the rights of the child in its work, and in that of its mechanisms, in a regular, systematic and transparent manner, taking into account the 2030 Agenda, as well as the specific needs of boys and girls, including those in vulnerable situations, those who are marginalized and those who face stigmatization, discrimination or exclusion;

25. *Encourages* the special procedures and other human rights mechanisms of the Human Rights Council to continue to integrate a child rights perspective into the implementation of their mandates and to include in their reports information, qualitative analysis and recommendations on child rights, including on progress and gaps in the implementation of the 2030 Agenda;

26. *Invites* all human rights treaty bodies to integrate the rights of the child into their work, particularly in their concluding observations, general comments and recommendations, giving full consideration to the promotion and protection of the rights of the child in the implementation of the 2030 Agenda;

IV. Follow-up

27. *Requests* the United Nations High Commissioner for Human Rights to contribute to the work of the high-level political forum on sustainable development, in consultation with relevant stakeholders, including the United Nations Children's Fund, other relevant United Nations bodies and agencies, the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, relevant special procedure mandate holders, regional organizations and human rights bodies, and civil society, particularly by providing inputs from a child rights perspective to the yearly thematic reviews of progress at the forum, focusing on achievements and challenges, taking into account the implementation of recommendations contained in previous Human Rights Council resolutions on the rights of the child;

28. *Decides* to continue its consideration of the question of the rights of the child in accordance with its programme of work and its resolutions 7/29 of 28 March 2008 and 19/37 of 23 March 2012, and to focus its next annual full-day meeting on the theme of "Protecting the rights of the child in humanitarian situations", and requests the High Commissioner to prepare a report on that theme, in close cooperation with all relevant stakeholders, including States, the United Nations Children's Fund, other relevant United Nations bodies and agencies, the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, relevant special procedure mandate holders, regional organizations and human rights bodies, national human rights institutions and civil society, including children themselves, and to present it to the Human Rights Council at its thirty-seventh session, with a view to providing information for the annual day of discussion on the rights of the child;

29. *Welcomes* the appointment of an independent expert to lead the work on a new in-depth global study on the situation of children deprived of liberty, encourages Member States and the United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support its preparation, and recognizes that the study can support the achievement of the 2030 Agenda and the pledge to leave no one behind;

V. Mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography

30. *Welcomes* the work and contribution of the Special Rapporteur on the sale of children, child prostitution and child pornography, and decides to extend the mandate, in accordance with its resolution 7/13, for a period of three years, as a Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material;

31. *Requests* the Special Rapporteur to participate in relevant international forums and major events relating to the implementation of the 2030 Agenda, to advise States, intergovernmental organizations, civil society and other stakeholders on effective and sustainable practices to respect, protect and fulfil the human rights of child victims of sale and sexual exploitation in the implementation of the 2030 Agenda, and to undertake, in cooperation with relevant special procedures and actors of the United Nations system, thematic research on the effective implementation of Goals 5, 8 and 16, with particular focus on targets 5.3, 8.7 and 16.2;

32. *Also requests* the Special Rapporteur to continue to report annually on the implementation of the mandate to the Human Rights Council and the General Assembly, in accordance with their respective programmes of work, making suggestions and recommendations on the prevention of the sale and sexual exploitation of children and on the rehabilitation of child victims;

33. *Requests* the Secretary-General and the High Commissioner to provide the Special Rapporteur with all the resources and assistance necessary for the effective fulfilment of the mandate.